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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 GHOLAMREZA MALEKPOUR,

10                   Plaintiff,

Case No. C11-2143-MJP

11 v.

12 ENVIRONMENTAL PROTECTION AGENCY  
13 and NAPCA,  
14                   Defendants.

**ORDER DENYING LEAVE TO  
APPEAL IN FORMA PAUPERIS**

15 The Court, having reviewed plaintiff's motion for leave to appeal in forma pauperis ("IFP")  
16 (Dkt. 39), the Report and Recommendation of the Honorable Brian A. Tsuchida, United States  
17 Magistrate Judge, and the remaining record, does hereby find and order:

- 18       (1)      The Court adopts the Report and Recommendation.  
19       (2)      Plaintiff's motion for leave to appeal IFP (Dkt. 39) is **DENIED**.  
20       (3)      The Clerk is directed to send copies of this Order to the parties and to Judge Brian  
21                   A. Tsuchida.

22 DATED this 25 day of January 2013.

  
23 MARSHA J. PECHMAN  
United States Chief District Judge